

**MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
REGIONAL COUNCIL MEETING**

January 19, 2000  
MAG Office, Saguaro Room  
Phoenix, Arizona

**MEMBERS ATTENDING**

Mayor Neil Giuliano, Tempe, Chairman	Supervisor Andy Kunasek, Maricopa County
Mayor Ron Drake, Avondale	Councilmember Keno Hawker for Mayor
Vice Mayor John Hawley for Mayor Dusty Hull, Buckeye	Wayne Brown, Mesa
* Mayor Edward Morgan, Carefree	Mayor Edward Lowry, Paradise Valley
* Mayor Vincent Francia, Cave Creek	Mayor John Keegan, Peoria
Mayor Jay Tibshraeny, Chandler	* Mayor Skip Rimsza, Phoenix
Mayor Cel Arias, El Mirage	Mayor Mark Schnepf, Queen Creek
* Mayor Sharon Morgan, Fountain Hills	* President Ivan Makil, Salt River Pima-Maricopa Indian Community
* Mayor Chuck Turner, Gila Bend	Councilmember Robert Pettycrew for Mayor
* Governor Donald Antone, Gila River Indian Community	Sam Campana, Scottsdale
Mayor Cynthia Dunham, Gilbert	Mayor Joan Shafer, Surprise
Mayor Elaine Scruggs, Glendale	* Mayor Adolfo Gamez, Tolleson
Mayor Bill Arnold, Goodyear	Mayor Dallas Gant, Wickenburg
* Mayor Frances Osuna, Guadalupe	Mayor Eugene Russell, Youngtown
* Mayor Colin Barleycorn, Litchfield Park	F. Rockne Arnett, ADOT
	Paul Schwartz for Bill Beyer, Citizens Transportation Oversight Committee

\*Those members neither present nor represented by proxy.

1. **Call to Order**

The meeting of the Regional Council was called to order by Chairman Neil Giuliano at 5:05 p.m.

2. **Pledge of Allegiance**

Chairman Giuliano introduced two new members to the Regional Council, Mayor Ron Drake from Avondale and Supervisor Andy Kunasek from Maricopa County. Chairman Giuliano welcomed the new members and presented them with their membership certificates.

Chairman Giuliano introduced proxies Vice Mayor John Hawley for Mayor Dusty Hull from Buckeye, Keno Hawker for Mayor Wayne Brown from Mesa, Councilmember Robert Pettycrew for Mayor Sam Campana from Scottsdale, and Paul Schwartz for Bill Beyer from CTOC.

Chairman Giuliano announced that the RPTA has generously agreed to provide transit tickets for individuals who use the bus to get to the Regional Council meeting. He stated that tickets are available following the meeting from Ken Driggs or Matt Ortega of the RPTA.

Chairman Giuliano announced that agenda items #14A, #14B, #14C, and #14D would be considered together. He said that for agenda item #14A, Tentative FY 2001-2005 Program for MAG Federal Funds, a memorandum to the Governor's Transportation Vision 21 Task Force was at each place.

3. Approval of December 8, 1999 Meeting Minutes

Chairman Giuliano asked if there were any corrections to the minutes of the December 8, 1999 meeting. Hearing none, he asked for a motion to approve.

Mayor Arnold moved, Mayor Shafer seconded, and it was unanimously carried to approve the minutes of the December 8, 1999 meeting, as written.

4. Call to the Audience

Chairman Giuliano noted that we have a timer to assist the public with their presentations, which have a three minute time limit. When two minutes have elapsed, the yellow light will come on notifying the speaker that they have one minute to sum up. He said that at the end of the three minute time period, the red light will come on. Members of the audience who wish to speak fill out a card and give it to the MAG staff who will bring it to the Chairman.

Chairman Giuliano stated that public comment is provided at the beginning of the meeting for non-agenda items. He indicated that for the action items on the agenda, public comment will be taken when the item is heard. Public comments are limited to three minutes.

Chairman Giuliano recognized public comment from Blue Crowley, who stated that gridlock needs to be dealt with. He referred to issues not being addressed as the shotgun approach. Mr. Crowley stated that the Legislature feels more public involvement is needed. He said that all entities are not represented in the transit plan. Mr. Crowley stated that the guidelines of TEA-21 need to be considered.

Chairman Giuliano recognized public comment from D. D. Barker, who stated that the Task Force believes more flexibility is needed among entities. Practicality and use, vision and commitment need to be added to the process, which would be overseen by reputable authorities. Ms. Barker expressed concern over the \$10 million allocated to rail. She said that funding should be secured before studies are done. Ms. Barker commented on going after federal funds just because they are available, whether projects are right for the region or not. Chairman Giuliano thanked Ms. Barker for her comments.

5. Executive Director's Report

James M. Bourey stated that a letter from the Governor to the Transportation Vision 21 Task Force Co-Chairs was at each place. He stated that MAG's intent is to work cooperatively with the Task Force. He indicated that MAG has provided the Task Force with examples of MAG's activities. Mr. Bourey stated that a memorandum to the Task Force regarding an update to the Superstition Freeway

improvements was at each place to provide members with information on the Superstition Freeway status. He announced that a Task Force meeting on the freeway system, the 1991 audit and the Superstition Freeway widening, is scheduled for January 25th.

Mr. Bourey stated that the Internet Taxation Forum was held on December 16, 1999. Speakers were State Representative Jeff Hatch-Miller, Councilmember Dennis Kavanaugh, from Mesa, Terry Trost, and Bob Ward from Westcor.

Mr. Bourey stated that a letter was received December 20, 1999 from the Government Finance Officers Association awarding the Distinguished Budget Award to MAG. He noted that only a handful of Regional Councils in the nation have received this award.

Mr. Bourey stated that MAG is hosting the International Group later in the month. The International Group is a part of the World Affairs Council.

Mr. Bourey introduced three new MAG employees. He introduced Mary Thomson, who will serve as MAG's Domestic Violence Specialist. Ms Thomson received her Master's in Social Work from Arizona State University and her Bachelor's from University of Arizona. Melissa Carrao joins MAG as Office Services and Human Resources Supervisor after working for Starwood Hotels as a Staff Coordinator to the Vice President of Human Resources. Mr. Bourey noted that Ms. Carrao received her Bachelor's degree from Northern Arizona University. Mr. Bourey introduced Stuart Boggs, Senior Transportation Policy Planner. Mr. Boggs received his degree in public administration in Rhode Island and his Bachelor's from Ball State.

Chairman Giuliano thanked Mr. Bourey for his report and asked if there were any questions.

6. Approval of Consent Agenda

Chairman Giuliano recognized public comment from Blue Crowley, who commented on agenda item #7, Formation of South Mountain Parkway Agency Stakeholders Group, on the inclusion of Gila River Indian Community on the Stakeholders Group. For agenda item #8, FY 2001-2005 Short Range Transit Plan, he said that the plan needs to be region-wide and all need to be represented. He said that the State Board and CTOC were not aware that the early input phase was going on. For agenda item #9, Proposed Administrative Adjustment and Amendment to the FY 2000-2004 MAG Transportation Improvement Program, Mr. Crowley indicated that public comments he made at meetings on the 5th and the 7th were not included in the public input section. For agenda item #10, Transportation Enhancement Review Committee Recommendations, he said the bike tunnel he has been requesting at Grand and I-17 is still not built. Chairman Giuliano thanked Mr. Crowley for his comments.

Chairman Giuliano asked if any member requested removal of any consent agenda item. For agenda item #7, Mayor Scruggs requested that representative from the City of Glendale be included as a member of the Stakeholders Group. Mr. Bourey replied that would be appropriate. Chairman Giuliano asked for a motion to approve the consent agenda.

Mayor Shafer moved, Mayor Arias seconded, and it was unanimously carried to approve the consent agenda items #7, #8, #9, #10, #11, and #12.

7. Formation of South Mountain Parkway Agency Stakeholders Group

The South Mountain Parkway is part of the MAG Long Range Transportation Plan and portions are funded in the ADOT Life Cycle Program. In June, MAG received notice of a planned residential subdivision in the South Mountain Parkway alignment near Broadway Road and 59<sup>th</sup> Avenue. The

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8. FY 2001-2005 Short Range Transit Plan



The Regional Council, by consent, approved the FY 2001-2005 Short Range Transit Plan for public review and comment. The Short Range Transit Plan (SRTP) is prepared and updated annually by the Regional Public Transportation Authority on behalf of the Maricopa Association of Governments (MAG). In addition to providing recommendations for transit improvements over the next five years, the plan also includes a summary of the regional transit system's operating characteristics from Fiscal Year 1998-99. The Plan was developed using input from MAG member agencies and citizen participation efforts that are normally conducted throughout the year. The SRTP is intended to provide public sector decision-makers, federal government officials and citizens with a summary of local and regional planned transit system improvements. The document is not intended to bind any one municipality or collective municipalities to the contents with the Plan, but rather to provide a guide in which to develop and enhance transit services. The Transportation Review Committee recommended approval of the Plan. The Management Committee recommended approval of the FY 2001-2005 Short Range Transit Plan for public review and comment.

9. Proposed Administrative Adjustment and Amendment to the FY 2000-2004 MAG Transportation Improvement Program

The Regional Council, by consent, approved the administrative adjustment and amendment to the FY 2000-2004 MAG Transportation Improvement Program. The FY 2000-2004 MAG Transportation Improvement Program was approved by the MAG Regional Council on June 9, 1999. As a result of additional funding opportunities within the FY 2000 Federal Transportation Appropriations Bill, the Regional Public Transportation Authority (RPTA) has requested an administrative adjustment to 40 transit projects and an amendment adding eight new projects to the FY 2000-2004 MAG Transportation Improvement Program. Proposed administrative adjustments to the TIP include twelve project advancements, five project deferrals, and twenty-three project scope changes, all of which may be categorized as minor project revisions. The proposed eight new transit projects, which require a TIP amendment for programming in FY 2000, may be categorized as exempt. The new projects are funded by Section 5307, Section 5309, and Arizona Department of Transportation (ADOT) Surface Transportation Program (STP) flex funds. Consultation is required for the corresponding conformity assessment on the proposed administrative adjustment and amendment. The Transportation Review Committee recommended amending the TIP to include the proposed transit projects for STP funding. The Management Committee recommended approval of the administrative adjustment and amendment to the FY 2000-2004 MAG Transportation Improvement Program.

10. Transportation Enhancement Review Committee Recommendations

The Regional Council unanimously approved forwarding a ranked list of proposed enhancement fund projects to the Arizona Department of Transportation Enhancement Review Committee (TERC) at its September, 1999 meeting. This year, eight enhancement fund applications were recommended by the TERC to the State Transportation Board for \$3.4 million. A total of \$11.8 million in state transportation enhancement funds was recommended by the TERC: \$7.5 million in local projects and \$4.3 in state projects. The MAG region received 39 percent of local funds, and 10 percent of state funds -- a total of 29 percent of all funds awarded.

11. Submission of Applications for the Transportation and Community and System Preservation Pilot Program

The Transportation Equity Act for the 21<sup>st</sup> Century authorized the Transportation and Community and System Preservation Pilot Program (TCSP). The purpose of the TCSP is to provide funding for planning and implementation grants, as well as research to investigate and address the relationship between transportation and community system preservation. The Federal Highway Administration (FHWA) has requested grant applications for FY 2001 funding by January 21, 2000. Applicants proposing construction activities will need their projects included in the MAG Transportation Improvement Program. Non-construction activities funded by TCSP should be supported or endorsed by the Metropolitan Planning Organization (MPO). According to FHWA guidelines, TCSP funded activities are to demonstrate coordination with the MPO to ensure consistency with the regional planning process.

12. Consultation on Conformity Assessment for Proposed Administrative Adjustment and Amendment to the FY 2000-2004 MAG Transportation Improvement Program

The Regional Public Transportation Authority has requested that the Maricopa Association of Governments (MAG) make an administrative adjustment to 40 transit projects and add eight new transit projects to the FY 2000-2004 MAG Transportation Improvement Program (TIP). The eight new transit projects require a TIP amendment. MAG has reviewed the proposed projects for compliance with the federal conformity rule (40 CFR Parts 51 and 93) and found that the project changes require consultation on the conformity assessment. The proposed 40 minor project revisions may be characterized as administrative adjustments for which a conformity determination is not required. The proposed eight new transit projects may be categorized as exempt, for which conformity determinations are not required. The current conformity finding of the TIP and the associated Long Range Transportation Plan Summary that was made jointly by the Federal Highway Administration and Federal Transit Administration in a letter dated June 10, 1999, would be unchanged by this action. The Transportation Review Committee recommended amending the TIP to include the proposed transit projects.

13. Valley Vision 2025 Update

Mr. Bourey stated that the Co-chairs and Steering Committee met and suggested a final report be developed. He passed around a copy of the draft report to the members. Mr. Bourey stated that the report is a summary of the input received from the collaboratives, the subcommittees and the public forums. He noted that the report is basically complete, but still needs inclusion of the statistically valid survey to include a more broad-based input. Mr. Bourey said the final meeting of the full Committee is scheduled for February 2, 2000, when additional comments on the document will be discussed. The report will be modified to include any comments and then distributed. Chairman Giuliano thanked Mr. Bourey and asked if there were any questions.

14A. Tentative FY 2001-2005 Program for MAG Federal Funds

Chairman Giuliano stated that agenda items #14A, #14B, #14C, and #14D would be considered together since they are closely interrelated.

Chairman Giuliano recognized public comment from Blue Crowley, who expressed appreciation that his prior public comments appeared in the public input sections of #14C and #14D. He said that he had also commented on elimination of the tax revenue. For agenda items #14A and #14B, he questioned the process for notifying the public of the mid phase input scheduled for February. He stated that federal guidelines for outreach should be followed to ensure more people attend. Mr. Crowley commented on lengthening the 51st Avenue transit route. He requested increasing cooperation among entities to get the buses running. Chairman Giuliano thanked Mr. Crowley for his comments.

Mr. Bourey stated that four major annual efforts were being presented for approval for public review and comment. Mr. Bourey said that after the public review process, the four items would be considered in March for conformity, and final approval in June.

Eric Anderson gave a presentation on projects for the Superstition Freeway currently in the MAG Transportation Improvement Program (TIP) and Long Range Transportation Plan (LRTP), approved by the Regional Council in June, 1999. He said that HOV lanes from I-10 to Power Road, totalling \$192.5 million, are in the approved TIP. Mr. Anderson stated that the proposed I-10/US60 HOV ramp connection for 2005 totalling \$33 million in the approved LRTP is a very important project. Additional approved LRTP projects are the general purpose lanes, Price to Power Road, FY 2008 to FY 2019, totalling \$22 million; and HOV lanes from Power Road to the SanTan Freeway, FY 2008 to FY 2019, totalling \$32 million. He stated that action is anticipated in February 2000 to package the US 60 HOV lanes, including the ramp construction for \$242.7 million in construction cost, to Val Vista as a design build. Mr. Anderson stated that design build process cuts time. He said that Mesa is proposing that the SOV lanes from Price to Val Vista also be advanced as part of the design build project. Mesa will pay the interest costs associated with accelerating the SOV lanes.

Chairman Giuliano asked Mr. Anderson to clarify design build for the Regional Council. Mr. Anderson explained that the usual design process takes 12-24 months. The plans are drawn up and then submitted for bid. He said that in the case of design build, construction begins just after the design is started. It is a joint venture for both design and construction, overseen by ADOT. Since the technique is to speed up completion of a project, 2 years is usually gained. Mr. Anderson stated that GANs are being considered, and he would have more complete detail in February. Mesa would pay the interest

costs for the SOV portion. Chairman Giuliano thanked Mr. Anderson for his presentation and asked if there were questions.

Mr. Bourey clarified the fact that the current LRTP includes general purpose lanes in Mesa only. Any general purpose lane additions for Tempe would require consideration by the Regional Council. Mr. Bourey stated that the money for the project includes the amount required to construct the retaining walls in a location which would accommodate widening beyond HOV lanes. Chairman Giuliano asked for clarification that a final decision on the projects would not be voted on tonight. Mr. Bourey replied that the vote tonight is only to approve the items for public review and comment. The vote on the final plans would be in June.

Paul Ward gave a presentation on the development process of the TIP. Mr. Ward displayed a slide showing the additional STP and CMAQ funds expected to be available for each of fiscal years 2001-2005, totalling \$107.5 million. He noted that an additional \$3.5 million in CMAQ funds should become available each year. Mr. Ward showed a pie chart of projects submitted for federal funding, totalling \$296.2 million in federal funds. Mr. Ward stated that the street projects include the paving projects previously approved. He showed a pie chart of the projects recommended for federal funding totalling \$78.5 million.

Mr. Ward stated that the requested motion is to approve the list of projects recommended by the Transportation Review Committee in the tentative MAG Federally funded program for public review and comment. Chairman Giuliano thanked Mr. Ward for his report and asked if there were any questions.

14B. Tentative FY 2001-2005 MAG Regional Transit Federal Program

Ken Driggs commended MAG staff for their assistance. He said this was the first time the Transit Program had been put together with federal funds. Mr. Driggs expressed appreciation to Bob Antila from RPTA, and cities' transit staffs. He said that many projects to help the air and assist those in need have been funded.

Mayor Shafer commented that the projects mentioned seem to be east side projects. She indicated that she feels left out of the plans. Mayor Shafer said that she only hears about the 303 from citizens. She stated that the west side needs to be considered.

Paul Schwartz stated that he agreed with Mayor Shafer's comments. Mr. Schwartz mentioned that the 75,000 citizens in Sun City and Sun City West are not considered. He said that many are tired of paying taxes and not receiving any benefit.

Chairman Giuliano requested that MAG staff present the review process in the Study Session at the February Regional Council meeting. He indicated that there is not a conscious effort to exclude anyone. Chairman Giuliano expressed his understanding with the frustrations felt by some communities.

Mayor Keegan requested that staff draft a map showing money expended in each city on projects. Councilmember Pettycrew requested that population growth be incorporated in the map, as well. Mr.

Bourey replied that would be appropriate. Mayor Shafer stated that her city's residents would be interested in seeing the map.

14C. ADOT Tentative Life Cycle Program for the MAG Regional Freeway System

Eric Anderson gave a presentation on the ADOT Tentative Life Cycle Program. He stated that each year, ADOT develops the Program for the design and construction of the MAG Regional Freeway System, using available revenue resources. He said that the sequence of the projects is determined by the adopted priorities and the acceleration schedule to complete the Freeway Program by 2007. Mr. Anderson noted that this year's Program restores elements eliminated as part of the 1994 Governor's Plan, including lanes and lighting. Additional elements were added, such as median barriers, noise walls, and underground conduit for future installation of the Freeway Management System. Mr. Anderson indicated that the conduit is being added as a cost saving measure. He said that work on cash flow is ongoing.

Mayor Scruggs asked for clarification on the process for retrofitting underground conduit. Mr. Anderson replied that the Agua Fria includes the underground conduit, whereas I-17, which is under reconstruction, has segments identified by ADOT for inclusion in the Freeway Management System (FMS) Intelligent Transportation System (ITS) plan. Mr. Bourey stated that MAG is currently developing the ITS Strategic Plan to identify funding sources and strategies to implement ITS. Mr. Anderson stated that full deployment of the FMS is being built into I-17. He indicated that the cost is included in the design build. Mayor Scruggs asked if the conduit could be used for other types of linkages, in addition to FMS. Mr. Anderson replied that 3 sleeves are installed, which are not all needed for FMS. Mayor Scruggs requested additional information on the retrofit of the conduit. Mr. Bourey replied that staff would supply the information.

Mr. Arnett spoke on previous comments about the west side interests. He said that last year the Legislature ensured that there would be a geographic balance in the region. Mr. Arnett mentioned various projects on the West side: the 101 is nearing completion; the Grand Avenue project, initially funded for \$120 million, would now cost \$176 million; additional work on SR 85 to Gila Bend, and the bridge over the 303. He indicated that a decision is anticipated soon on the Wickenburg bypass, after which funds would be made available. Mr. Arnett stated his belief that there is a balance, and legislation has ensured that.

Mayor Shafer asked for clarification on the reason Grand Avenue stops at Peoria and starts up at the 303. Mayor Scruggs noted that the City Manager for Surprise did not want to be involved in the process. Mayor Shafer asked for additional information on the 303. Chairman Giuliano stated that staff would follow up and provide the requested information to Mayor Shafer.

14D. ADOT Tentative FY 2001-2005 Highway Construction Program

Mr. Schwartz stated that he wanted to inform the members of an action at the CTOC meeting on January 18th. Mr. Darden Hamilton requested that the 12 miles of HOV lanes on I-17 be re-designated as general purpose lanes. The motion was supported by CTOC.

Terry Johnson reviewed the joint MAG/ADOT process to develop a five year highway construction program. After determining the resources available and priorities for projects, the draft Program is

submitted for public review and comment. Mr. Johnson described the construction and design projects proposed for addition to the Program, totalling \$123 million. Mr. Johnson stated that the full program has not yet been finalized by ADOT, but would be forthcoming.

Mr. Bourey expressed his satisfaction with the cooperative process and thanked Ms. Peters and ADOT staff, and Ken Driggs and RPTA and Transit staff for their efforts. Chairman Giuliano expressed his appreciation to Ms. Peters and Mr. Bourey for the improved and seamless process.

Mayor Tibshraeny asked for clarification of future consideration of SOV lanes. Mr. Bourey replied that there are two programs, the 5-year TIP, in which only HOV lanes are included; and the LRTP, which includes HOV lanes and general purpose lanes through Mesa only. He explained that general purpose lanes in Tempe have never been in the plans. Mayor Tibshraeny asked if consideration could be requested by the Board. Mr. Bourey replied that this could be requested at any time.

Mayor Scruggs asked for clarification on the retaining walls. Mr. Anderson stated that the money in the proposed TIP has a funding estimate attached that has an assumption of the ultimate distance to accommodate both HOV and future lanes if ever decided. He said that moving the retaining walls to the ultimate adds \$5.7 million to the cost for the project. Mr. Anderson explained that moving the retaining walls to accommodate the HOV lane only costs \$13.8 million. If the walls were moved again to accommodate a future lane, the cost would be \$24 million, or a total cost of \$37.8 million. By moving the walls to the ultimate at one time would be \$19.5 million, a savings of \$18.3 million, and adds \$5.7 million to the current project.

Mayor Tibshraeny asked for clarification of the vote on retaining wall expense. Mr. Bourey replied that the current TIP being voted on tonight for public comment includes the money for the retaining walls to be moved out to allow for future widening. He mentioned that MAG is not responsible for the design work, only allocation of the money. If someone did not want to include the retaining walls project, they would specifically have to make the request. Chairman Giuliano asked for clarification of the amount for moving the retaining walls. Mr. Bourey referred to the memo written to the Task Force that explains the costs. He said that when the HOV lanes are constructed, if the walls are moved back to accommodate another lane in the future, it would cost \$19.5 million. If the walls are constructed in two phases, the cost for moving the walls only enough to accommodate the HOV's is \$13.8 million and to move them again in the future to accommodate expansion would be \$24 million for a total of \$37.8 million. Moving the walls once would save \$18.3 million if further expansion takes place and if done initially, would add \$5.7 million to the existing HOV project.

Mayor Tibshraeny asked if ADOT would be discussing this issue at their March meeting. Mr. Arnett stated that ADOT has listened to Tempe's position on additional freeway lanes. He indicated that since funds are not available to build any lanes beyond the HOV lanes, the issue is where to build the retaining walls. Do we spend \$13 million now to accommodate one lane or spend an additional \$5.7 million for the ultimate build out? Mr. Arnett brought up the possibility that a future transportation corridor could be planned, and moving the walls would then be required to accommodate this corridor. Mr. Arnett noted that the engineers recommended building the retaining walls to the ultimate.

Chairman Giuliano indicated that if assurances were given that the corridor might accommodate other than SOV lanes, Tempe may be more agreeable. He commented that additional discussion of this issue is needed. Mary Peters, ADOT Director, stated that it makes sense to move the walls one time.

ADOT's intent is to designate a future transportation corridor to be determined cooperatively, and dependent on funding. Ms. Peters noted that the environmental document approval is the first priority.

Mayor Scruggs asked where the \$5.7 million had been allocated previously. Mr. Bourey replied that the entire project has been through a number of revisions. He noted that no other project was cut back in order for the \$5.7 million to be allocated to this project.

Chairman Giuliano asked if there were any further questions. Hearing none, he asked for a motion to approve agenda items #14A, #14B, #14C, and #14D.

Mayor Keegan moved, Mr. Arnett seconded, and it was unanimously carried to approve #14A, Tentative FY 2001-2005 Program for MAG Federal Funds, the list of projects recommended by the Transportation Review Committee in the tentative MAG Federally funded program for public review and comment; #14B, Tentative FY 2001-2005 MAG Regional Transit Federal Program, the Tentative FY 2001-2005 MAG Regional Transit Federal Program for public review and comment; #14C, ADOT Tentative Life Cycle Program for the MAG Regional Freeway System, the ADOT Tentative Life Cycle Program for the MAG Regional Freeway System for public review and comment; and #14D, ADOT Tentative FY 2001-2005 Highway Construction Program, the ADOT Tentative FY 2001-2005 Five Year Highway Construction Program for public review and comment.

15. Grand Avenue Major Investment Study

Chairman Giuliano recognized public comment from Blue Crowley, who thanked staff for including his public comments on the public input section of the information summary. He stated that it is more cost effective to build bike and pedestrian facilities first, rather than retrofitting. Mr. Crowley noted that according to federal guidelines, a bike route cannot be broken. He noted that the bike route he uses stops at 31st Avenue. Mr. Crowley stated that heavy rail should be considered and a second rail be put in. He stated that the Study does not consider HOV lanes or bike lanes. Chairman Giuliano thanked Mr. Crowley for his comments.

Dave French, from URS Greiner, stated that the 1998 MAG Grand Avenue Corridor Study examined 14 options for improvements and recommended 3 of those options be developed into a Major Investment Study (MIS). Mr. French said the MIS focused on 2 options: Option 4, Alternating grade separations; and Option 5, limited expressway. The Grand Avenue Steering Committee recommended Option 4, with modifications, be implemented on Grand Avenue to be further upgraded to expressway standards. Mr. French stated that \$160 million is currently programmed for improvements and the MIS estimates the cost of Option 4 at \$176.6 million. Mr. French summarized the intersection improvements to improve traffic flow. He said that at 4 intersections, 51st Avenue and Bethany Home Road, 55th Avenue and Maryland, 75th Avenue and Olive, and 67th Avenue and Northern, recommendations are to implement grade separations at the north/south or east/west arterials. He said grade separations on Grand Avenue at the intersections of 27th Avenue and Thomas, 43rd Avenue and Camelback and 59th Avenue and Glendale, were recommended.

Mr. French said that the action requested is to approve including the Grand Avenue MIS in the Draft MAG Long Range Transportation Plan: 2000 Update for a conformity analysis, with the MIS concept for completion by 2006, and the Long Range Transportation Plan concept for the facility to be a

controlled access facility. Chairman Giuliano thanked Mr. French for his presentation and asked if there were any questions.

Mayor Shafer asked for information on a study on the remainder of Grand Avenue. Mr. Bourey replied that a study was in the process. Mr. Johnson mentioned that a Stakeholder meeting was scheduled for next month, followed by an advertisement for bid. Mayor Shafer requested information on the meeting. Mr. Schwartz asked if Sun City could have a representative in the Stakeholders Group. Mr. Bourey replied that major interest from Sun City is anticipated. CTOC could represent their interest. Mr. Schwartz requested information on the Stakeholders meeting be sent to him.

Mayor Scruggs expressed her satisfaction on the progress of the project. She stated that the project proceeded without the City of Surprise because the City Manager chose not to participate. The other cities had two choices: to proceed without Surprise or continue without them. Mayor Scruggs indicated that their first choice was not to abandon a neighboring community, but concern for their citizens resulted in continuing with the project. Mayor Scruggs extended the assistance of the neighboring communities to help Surprise however they could.

Mayor Scruggs moved, Mr. Arnett seconded, and it was unanimously carried to approve including the Grand Avenue Major Investment Study in the Draft MAG Long Range Transportation Plan: 2000 Update for a conformity analysis, with the MIS concept for completion by 2006, and the Long Range Transportation Plan concept for the facility to be a controlled access expressway.

16. Status Update on the June 30, 1998 Single Audit and Management Letter Comments, MAG's Comprehensive Annual Financial Report (CAFR) and OMB Circular A-133 Reports (i.e., "Single Audit") for the Fiscal Year Ended June 30, 1999 and the Related Management Letter Comments

Art Rullo gave a presentation on the FY 1999 Audit Report. He stated that Deloitte and Touche LLP has completed the audit of MAG's comprehensive Annual Financial Report and Single Audit for the fiscal year ending June 30, 1999. Mr. Rullo stated that John Hunter, Deloitte and Touche, was present at the meeting to answer any questions. Mr. Rullo reviewed the results of the audit. He said that the report indicated there were no reportable conditions considered to be material weaknesses, no instances of non-compliance and no questioned costs. Mr. Rullo noted that the report provided one procedural finding to improve MAG's financial management, which was not considered material. He said that this finding, Written Procurement Policies and Procedures, is currently being addressed by Management. The anticipated resolution is expected by the end of January.

Mr. Rullo said that the Management Letter provided 6 recommendations for improvement. Each of these recommendations is currently being addressed. Mr. Rullo displayed a slide of the Financial Statement Overview on the cash and modified accrual basis. He summarized the status update of the Single Audit findings and the Management Letter comments from fiscal year 1998. Chairman Giuliano thanked Mr. Rullo for his presentation and asked if there were any questions.

Supervisor Kunasek asked about past functionality without procurement guidelines. Mr. Bourey replied that accepted practices were used. Chairman Giuliano stated that the decision to use procurement guidelines was based on necessity when MAG split with the League.



Mayor Shafer moved, Supervisor Kunasek seconded, and it was unanimously carried to approve accept the MAG Comprehensive Annual Financial Report and Single Audit Report for the year ended June 30, 1999.

18. ADOT Board Representation on the MAG Regional Council

Chairman Giuliano stated that at the Regional Council Retreat, the consensus of the participants at the retreat was to bring the issue of two State Transportation Board representatives to the January Regional Council meeting in two steps. First, the Regional Council would be requested to vote on whether two members should participate on the Regional Council. Second, if both representatives are members of the Regional Council, the Regional Council would determine if each representative would receive a vote. Chairman Giuliano stated that MAG staff was directed to prepare options for how the board members could participate. He said that a memorandum from Mr. Bourey on these options was included in the agenda packet.

Mr. Bourey stated that a provision in SB 1201 provided for an additional State Transportation Board member to represent Transportation District One. This resulted in two State Transportation Board members representing this area. Mr. Bourey indicated that Mayor Gant from Wickenburg has been appointed the position of the new Board member, in addition to representing Wickenburg. Mr. Bourey said that the By-Laws accommodate only one member from the State Transportation Board and would require an amendment for an additional member.

Chairman Giuliano recognized public comment from Blue Crowley, who stated that even though Mr. Arnett represents the entire Maricopa County area well, his area of expertise is the east side. He indicated that in a weighted vote, Maricopa County and Phoenix would total 60 percent of the vote. Mr. Crowley commented that Mayor Gant would better understand issues of concern to the western part of the County. He stated his support for Option 1, that both State Transportation Board representatives be members of the Regional Council and have one vote each. Mr. Crowley mentioned the necessity of both Board members to each have a vote, since the legislation states that a geographic balance needs to be considered. Chairman Giuliano thanked Mr. Crowley for his comments.

Mayor Scruggs moved to give a seat on the Regional Council to each of the two State Transportation Board members. Mayor Arnold seconded. Chairman Giuliano asked for discussion.

Mr. Bourey explained that the By-Laws may be amended at any meeting of the Regional Council by a majority vote provided written notice of the proposed amendment is given to members at least 15 days prior to the meeting at which action would be taken.

Hearing no further discussion, Chairman Giuliano re-read the motion to give a seat on the Regional Council to each of the two State Transportation Board members. A vote was taken and the motion passed, with Mr. Arnett voting no.

Chairman Giuliano stated that the members would determine how the two members would participate. He listed the options available: Option 1: Full Members (both members have one vote each); Option 2: Shared Membership (both participate, share one vote); or Option 3: Rotating Vote (both would participate, vote would rotate).

Mayor Shafer moved to approve Option 2, a shared membership in which both members participate and share one vote. Mayor Tibshraeny seconded. Before a vote was taken, Mayor Giuliano asked for discussion.

Mr. Arnett stated that the Legislature determined principles to be resolved or considered. He stated that a message was being sent from the Legislature to increase cooperation with ADOT. Mr. Arnett commended the recent improvements to the cooperative process. He noted that it is important that one Board member not be put in a position to side against the other Board member. Mr. Arnett stated that each member should have a vote and he would not support the motion. Mr. Arnett commented that increasing the presence of the State Board on the Regional Council would assist MAG in their efforts.

Mayor Scruggs stated her support for Mr. Arnett's comments. She said that the legislation mentions a geographic balance. She commented on welcoming input from a member who could bring issues to the forefront. Mayor Scruggs indicated she was not in support of the motion.

Mayor Tibshraeny stated his support for the motion because he believes that each entity should receive one vote.

Vice Mayor Hawley commented on the efforts of ADOT and stated that he did not support the motion.

Mayor Keegan stated that the Legislature has sent a strong message that they want a geographic balance. He indicated that it was appropriate to give an equal vote to each member. Mayor Keegan noted his agreement with Mr. Crowley's comments. He said that in a weighted voting 2 votes for ADOT would be more as a symbolic vote.

Mayor Keegan made a substitute motion to approve Option 1, that both Transportation District One representatives on the State Transportation Board in Maricopa County be members of the Regional Council and each have a vote. Vice Mayor Hawley seconded.

Chairman Giuliano asked for discussion of the motion. Mayor Shafer questioned whether the substitute motion was in compliance with "Robert's Rules of Order." Chairman Giuliano stated that there was a second on the substitute motion, so the motion would proceed.

Mayor Scruggs clarified that the By-Laws state that ADOT shall always have one vote in a weighted vote.

Mayor Dunham asked if the State Transportation Board members are charged with representing their geographic area or the entire state when making decisions. Mayor Gant replied that it is a statewide job, but geographic considerations are a part of the decision. Mr. Arnett stated that his first responsibility is to the State, but decisions are a question of balance. He stated that 60 percent of the population, cars and money is in Maricopa County. Therefore, if decisions were made on strictly a weighted basis, Maricopa County should receive 60 percent of funding allocations. Mr. Arnett stated that Maricopa County resources have to help develop and build the rest of the State. He commented that he needs the assistance of someone to help him achieve this balance.

Mayor Russell asked Mr. Arnett if 2 votes on the Regional Council are needed. Mr. Arnett replied that he does not think that the extra vote would be of consequence. He indicated that he could not recall any vote that was so close that one vote mattered.

Mayor Shafer commented that she based her motion on the belief that one entity should have one vote.

Supervisor Kunasek asked for clarification of the geographic composition of the State Board. Chairman Giuliano stated that the Governor instructed that the composition of the Board would take into consideration a geographic balance. Supervisor Kunasek asked for confirmation if the Board serves a six-year term. Chairman Giuliano confirmed that was correct. He said Mr. Arnett has already served 4 years of his term.

Mr. Bourey stated that welcoming the second Board member could assist in development of an advocacy. He also verified the fact that the By-Laws allow ADOT only one weighted vote, whereas the cities have many.

Chairman Giuliano asked if there were further discussion. Hearing none, he asked for a vote on the substitute motion to approve Option 1, that both Transportation District One representatives on the State Transportation Board in Maricopa County be members of the Regional Council and each have a vote. A vote was taken and the motion passed by a vote of 13 yes, 4 no, and one not voting.

Chairman Giuliano announced that a dinner for the members of the Regional Council and their staff who have confirmed their dinner reservations will be held in the MAG offices on the third floor.

There being no further business, the meeting was adjourned at 7:25 p.m.

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Chairman

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Secretary